

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: CORE SCIENTIFIC, INC., et al., Debtors.¹	§ § § § §	Chapter 11 Case No. 22-90341 (CML) (Jointly Administered)
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**NOTICE OF WITHDRAWAL OF SPHERE 3D CORP.’S EMERGENCY MOTION
TO EXCLUDE DAMAGES/OFFSET THEORIES**

[Relates to Docket No. 1543]

On December 12, 2023, Sphere 3D Corp. filed *Sphere 3D Corp.’s Emergency Motion to Exclude Damages/Offset Theories* [Docket No. 1543] (“Motion to Exclude”).² On January 16, 2024, the Court entered the *Order Granting Debtors’ Emergency Motion for Order (I) Authorizing and Approving Settlement Among Debtors, Sphere 3D Corp., and Gryphon Digital Mining Inc. and (II) Granting Related Relief* [Docket No. 1747] (the “Core-Sphere-Gryphon Settlement”). On January 23, 2024, the Effective Date occurred. See *Notice of Effective Date of Fourth Amended Joint Chapter 11 Plan of Core Scientific, Inc. and its Affiliated Debtors* [Docket No. 1782].

As a result of the Core-Sphere-Gryphon Settlement and the occurrence of the Effective Date, Sphere 3D Corp. hereby withdraws its Motion to Exclude as moot.

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¹ The Debtors in these chapter 11 cases, along with the last four digits of each debtor’s federal tax identification number, are as follows: Core Mining LLC (6971); Core Scientific, Inc. (3837); Core Scientific Acquired Mining LLC (N/A); Core Scientific Operating Company (5526); Radar Relay, Inc. (0496); Core Scientific Specialty Mining (Oklahoma) LLC (4327); American Property Acquisition, LLC (0825); Starboard Capital LLC (6677); RADAR LLC (5106); American Property Acquisitions I, LLC (9717); and American Property Acquisitions, VII, LLC (3198) (each a “Debtor” and collectively, the “Debtors” or “Core”). The Debtors’ corporate headquarters and service address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704.

² The Court’s *Order Denying Emergency Consideration of Sphere 3D Corp.’s Emergency Motion to Exclude Damages/Offset Theories* [Docket No. 1546], denied emergency consideration of the Motion to Exclude, but, otherwise, left the Motion to Exclude pending.

Dated: February 1, 2024

Respectfully submitted,

/s/ Ashley L. Harper

Timothy A. ("Tad") Davidson II
TX Bar No. 24012503
Ashley L. Harper
TX Bar No. 24065272
HUNTON ANDREWS KURTH LLP
600 Travis Street, Suite 4200
Houston, Texas 77002
Telephone: (713) 220-4200
Facsimile: (713) 220-4285
E-mail: taddavidson@HuntonAK.com
ashleyharper@HuntonAK.com

Tibor L. Nagy, Jr.
TX Bar No. 24041562
Gregory N. Wolfe (admitted *pro hac vice*)
DONTZIN NAGY & FLEISSIG LLP
980 Madison Avenue
New York, New York 10075
Telephone: (212) 717-2900
Email: tibor@dnflp.com
greg@dnflp.com
shu@dnflp.com

- and -

Seth H. Lieberman (admitted *pro hac vice*)
Matthew W. Silverman (admitted *pro hac vice*)
PRYOR CASHMAN LLP
7 Times Square
New York, New York 10036
Telephone: (212) 421-4100
Facsimile: (212) 326-0806
E-mail: slieberman@pryorcashman.com
msilverman@pryorcashman.com

- and -

Co-Counsel for Sphere 3D Corp.